

Section 6: Administration of the Regulating Code**A. PERMIT REVIEW AND APPROVAL PROCESS**

The application review and approval process for projects in Downtown Rocklin is generally illustrated on Figure 5 and Table 2. A detailed description of the process follows the Figure and Table.

Figure 5: Application Review and Approval Process

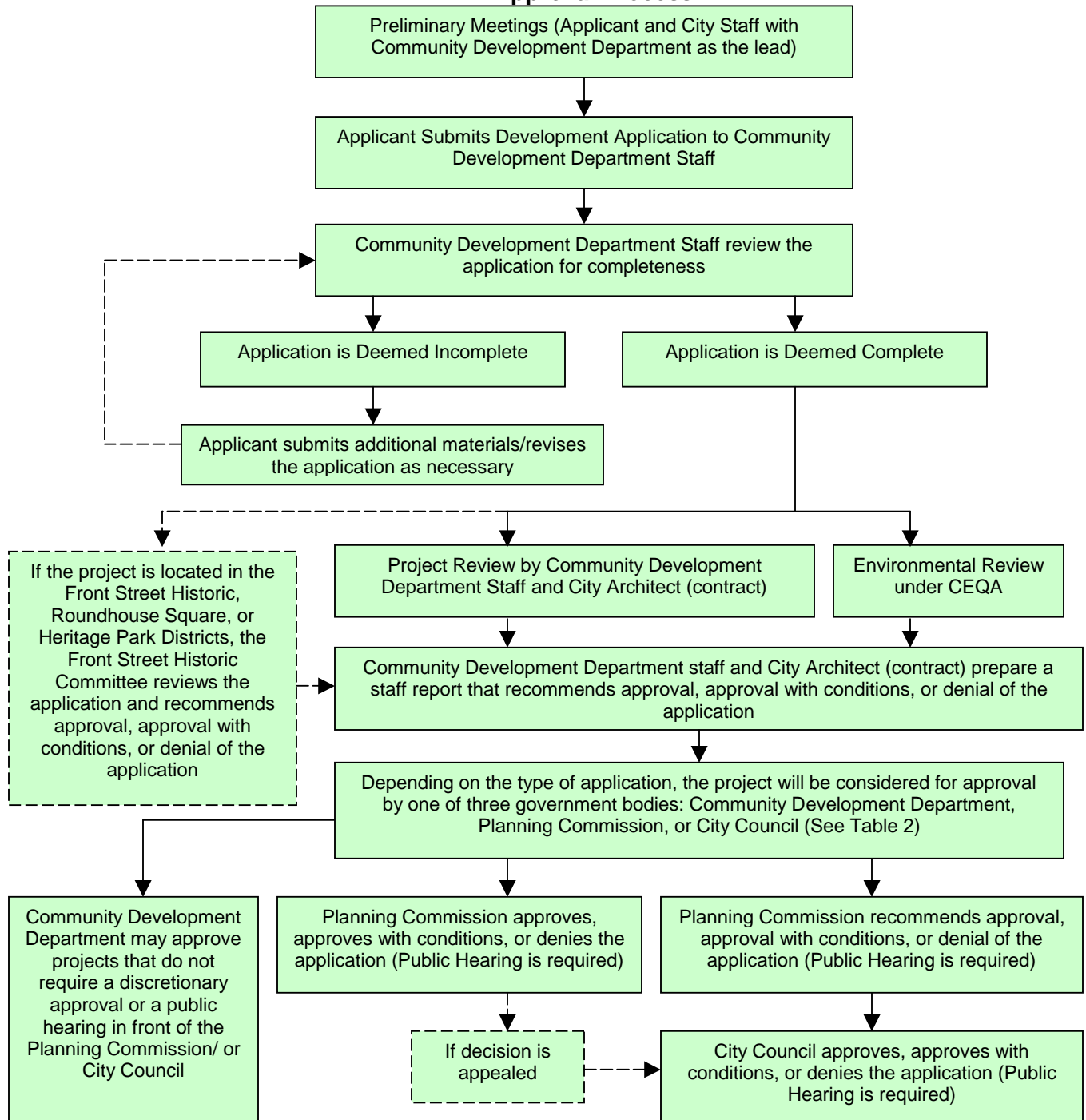


Table 2: Who Can Approve Development Applications in Downtown Rocklin?			
Topic	The Community Development Department may approve applications over the counter if they meet the following criteria:	If an application requires any of the following, it shall be reviewed and approved by the Planning Commission:	If an application requires any of the following, it shall be reviewed and approved by the City Council
CEQA	Application is exempt from CEQA or the project is consistent with the assumptions, parameters, significance thresholds, and required mitigation measures of a certified Program Environmental Impact Report	Approval of a Negative Declaration/ Mitigated Negative Declaration	Certification of an Environmental Impact Report ¹
Project/Design Review	The project does not require Design Review approval by the Planning Commission (the approval is a non-discretionary or a ministerial act), and the project is designed in compliance with all applicable building typology standards and design regulations.	Approval of a Variance, an Exception to an applicable building typology standard or applicable design regulation, or Design Review approval by the Planning Commission	Approval of a Planned Development Application ¹ Approval of an application for a building that is over four stories and/or 60 feet in height.
Land Use	Proposed land uses are permitted and specific findings for specific uses can be made (if necessary)	Approval of a Conditional Use Permit or a Sidewalk Use Permit	
Subdivision of property	The project does not require the subdivision of property	Approval of a Parcel Map	Approval of a Subdivision Map ¹
Amendment to the Regulating Code	The project does not require an Amendment to the Regulating Code		Approval of an Amendment to the Downtown Regulating Code ¹
General Plan Amendment	The project does not require a General Plan Amendment		Approval of a General Plan Amendment ¹
Footnotes: 1. The Planning Commission shall review all projects to be approved by the City Council. The Planning Commission shall provide a recommendation to the City Council on whether or not to deny, approve, or approve the project with conditions.			

Preliminary Meetings

Prior to submitting an application for development, the project applicant is encouraged to meet with City staff to discuss their project, potential issues and concerns, submittal requirements, and the overall development review process. Meetings with the Community Development Department's Planning, Building, and Engineering Divisions and the Fire Department are typically recommended. Other City staff, such as the City Manager and Redevelopment Agency staff, may also attend meetings for certain types of projects.

Applicant Submits Development Application

After the Preliminary Meetings, the project applicant submits an Application to the City of Rocklin Community Development Department.

The following items must be included in the application:

- Site Survey (no more than 6 months old)
- Tree Survey (no more than 6 months old)
- Site Location Map
- Legal Description
- Site Plan (drawn to scale), which shall include:
 - Lot lines
 - Building locations
 - Parking lots and parking spaces
 - Sidewalks, pedestrian walkways, plazas, and other hardscaped spaces
 - Stand-alone signs
 - Landscaping
- Building elevations for all sides of the structure, which shall show:
 - Window and doors
 - Projecting façade elements, such as awnings, marquees, balconies, colonnades, or arcades
 - Architectural details, such as cornice lines, horizontal and vertical expression lines, molding and trim
 - Building and roofing materials
- Sign Program that shows the location of all proposed signs, the types of proposed

signs, and the proposed lighting techniques for the signs

- Preliminary grading and utility plan
- Parking study (if proposing a reduced parking solution)
- A narrative description of any proposed exceptions to a building typology standard or design regulation
- Color Palette noting the proposed color applications on the building elevations
- Check for the applicable application fee

Application Review for Completeness

After the application is submitted, Community Development staff will review the application to determine if it is complete. If the application is incomplete, Community Development Department staff request additional application materials or information.

Environmental Review

All projects are required to be reviewed in compliance with the California Environmental Quality Act (CEQA). Community Development Department staff will prepare an Initial Study Checklist to determine what level of environmental review is appropriate for the project. Additional fees may be required if technical studies are required to analyze a certain environmental issue and/or if an Environmental Impact Report is required.

As an alternative to preparing multiple environmental clearances for individual projects within the Downtown, the City and/or an applicant may prepare a Program Environmental Impact Report that analyzes impacts of development on multiple properties and/or blocks. Once the Environmental Impact Report is certified, all development applications that are consistent with the assumptions, parameters, significance thresholds, and required mitigation measures of the certified Environmental Impact Report would be processed without further environmental review.

Project Review

Community Development Department staff and a contract City Architect (a hired consultant) will review the proposed application to determine if it is designed in compliance with the building typology standards and design regulations of this Regulating Code. The City Architect (contract) will determine if any exceptions to the building typology standards or design regulations of the Regulating Code are required for project approval.

If necessary, the City Architect (contract) will also recommend design changes to bring the project into compliance with an applicable building typology standard, design regulation, and/or design guideline. If a variance or exception to a building typology standard or design regulation is proposed, then the City Architect (contract) shall provide a recommendation on whether or not the variance or exception should be approved, approved with conditions, or denied.

Front Street Historic Committee Review

Certain projects within the Front Street Historic District, the Roundhouse Square District, and the Heritage Park District will require review and/or approvals by the Front Street Historic Committee. Section 17.61 (H-D Zone) of the Rocklin Zoning Ordinance shall be used to determine the committee's review and approval authority for projects within the Front Street Historic District, the Roundhouse Square District, and the Heritage Park District. In general, the Committee will review applications and will provide recommendations to Community Development Department staff, Planning Commission, and the City Council on whether or not to approve the project, approve the project with design modifications or conditions, or deny the project.

Preparation of Staff Reports

The Community Development Department will prepare a staff report recommending approval, approval with conditions, or denial of the project.

Community Development Department Approvals

If the proposed project meets the following criteria, then the Community Development Department may approve the project:

- The application is exempt from CEQA or the project is consistent with the assumptions, parameters, significance thresholds, and required mitigation measures of a certified Program Environmental Impact Report
- The project does not require Design Review approval by the Planning Commission (the approval is a non-discretionary or a ministerial act), and the project is designed in compliance with all applicable building typology standards and design regulations
- Proposed land uses are permitted and specific findings for specific uses can be made by the Director of Community Development (if necessary)
- The project does not require the subdivision of property
- The project does not require an Amendment to the Regulating Code
- The project does not require a General Plan Amendment

Planning Commission Approvals

The Planning Commission shall review and consider the following types of development applications during a public hearing:

- Applications that require the approval of a mitigated negative declaration
- Applications that requires the approval of a Conditional Use Permit; a Variance; a Subdivision Map; or an Exception to an applicable building typology standard, design regulation, and/or other applicable provisions of this Regulating Code

The Planning Commission has the authority to approve a Conditional Use Permit, an Exception to the Regulating Code, a Variance, and a Subdivision Map for all applications that qualify for a CEQA Mitigated Negative Declaration. If an Environmental Impact

Report is required for an application, then the Planning Commission shall recommend the approval or denial of the application to the Redevelopment Agency/City Council.

Approvals by the Planning Commission shall be publicly noticed and available for public review for 10 working days. During this time, a Rocklin property owner, business owner, or resident may contest the over-the-counter approval of the project by submitting an appeal to the Community Development Department. If this occurs, the Redevelopment Agency/City Council will review the appeal and the proposed application at their next scheduled Public Hearing.

City Council Approvals

The City Council shall review and consider the following types of development applications during a public hearing:

- Approvals by the Planning Commission that were appealed to the City Council
- Applications that require approval of a Planned Development
- Applications that require the certification of an Environmental Impact Report
- Applications that request an amendment to this Regulating Code
- Applications that request a General Plan Amendment

The City Council's decision to approve or deny a development application is final and cannot be appealed.

Civil and Building Plans

After the application has received all necessary land use and design approvals, the applicant may prepare and submit civil plans and building plans to the Community Development Department. These plans will be reviewed by Community Development Department staff and revised by the applicant if necessary. The plans will be approved after all issues and conditions of approval are addressed.

Other Agency Approvals

All projects within Downtown Rocklin will require approvals and/or permits from other

agencies, including the South Placer Municipal Utilities District, the Placer County Water Agency, Pacific Gas & Electric, and SBC. Certain types of projects may also require approvals and/or permits from the Placer County Health Department and Auburn Placer Disposal Service. Applications for these approvals and/or permits should be submitted concurrent with the development application to the City of Rocklin.

Construction and Occupancy Permits

After all City and outside agencies have approved the Civil and Building Plans, the City will issue permits for construction, including demolition, grading, encroachment, and building permits. Inspections will occur throughout the construction process. After the final inspection, the City will issue an occupancy permit.

B. DESIGN REVIEW

Section 17.72 (Design Review) of the Rocklin Zoning Ordinance shall be used to define the Design Review process for all projects in Downtown Rocklin with the following exception:

- Sections 17.72.070 A and B shall not apply to projects in Downtown Rocklin. Design Review for projects in Downtown shall be conducted by the governing agency (Planning Commission or City Council) that has final approval authority over the project application. To determine which agency has the final authority, refer to Table 2 of this Regulating Code. When the City Council has final approval authority over the project, the Planning Commission shall provide design recommendations to the City Council.

C. REQUIRED FINDINGS

A development application shall only be approved if the governing body that has approval authority over the project (refer to Table 2) can make specific findings for the approval. These findings are listed below:

Conditional Use Permit Findings

- The establishment, maintenance, or operation of the use will not be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use
- The establishment, maintenance, or operation of the use will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City
- The location, size, design, and operating characteristics of the building and the proposed use will be compatible in terms of design, scale, coverage, and density with existing and anticipated future uses adjacent to the property
- The proposed design of the property provides adequate access and parking for the proposed use
- There is adequate public service and public utility capacity to serve the proposed use

Findings for a Sidewalk Use Permit

- The proposed use of the sidewalk will maintain a minimum clear sidewalk path of at least five feet
- The proposed use of the sidewalk will not interfere with the ability of adjacent businesses, residents, or property owners to enjoy their property
- The applicant has agreed to indemnify the City with an indemnification agreement satisfactory to the City Manager and City Attorney
- The applicant has agreed to maintain liability insurance in the nature and amount satisfactory to the City Manager and City Attorney in order to protect the City from any potential claims that may arise from activity related to the use of the sidewalk. The policy shall name the City as an additional insured
- The proposed use of the sidewalk will not, under the circumstances of this particular case, be detrimental or injurious to property and improvements in the neighborhood, or to the general welfare of the City

Exception Findings

An exception is a permitted exemption to a building typology standard or design regulation within this Regulating Code. The Planning Commission may grant an Exception if they find that:

- Strict compliance with a building typology standard or design regulation would preclude an effective and attractive design solution that fulfills the overall vision for Downtown
- The granting of an exception will not constitute a grant of special privilege inconsistent with the limitations upon other properties that are subject to the same development standard or design regulation
- The granting of an exception will not be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use
- The granting of the exception will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City

Variance Findings

- The applicant has shown that because of special circumstances applicable to the subject property (including size, shape, topography, location or surroundings), the strict application of the requirements in this Regulating Code would result in a practical difficulty or unnecessary hardship that would deprive the subject property of privileges enjoyed by other properties in the vicinity that are subject to the same development standards and design regulations
- The granting of the variance will not constitute a grant of special privilege inconsistent with the limitations upon other properties that are subject to the same development standards and design regulations
- The granting of the variance will not be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use

improvements in the neighborhood or to the general welfare of the City

Findings for Motels, Hotels, and Bed and Breakfasts

- Ground floor spaces that are adjacent to streets or public spaces are designed and programmed for active uses, such as a lobby, restaurant, coffee shop, or gift shop
- Adequate parking for guests and employees is provided. With the exception of temporary valet parking areas, all parking is located to the rear of the buildings on a surface parking lot or within a parking structure that is designed in compliance with applicable provisions of this Regulating Code
- If included, driveway entrances to a porte-cochere or a valet parking attendant area are designed to consider the safety of pedestrians and vehicles on the street
- Signage is integrated with and consistent with the building design and does not detract from the desired character along the streetscape

Findings for Grocery Stores

- The proposed building design has an architectural character and quality that does not detract from the desired character along the streetscape
- Street facing facades are designed with transparent window openings and storefronts that provide views into the store from the sidewalk
- Parking is located to the rear of the buildings on a surface parking lot or within a parking structure that is designed in compliance with applicable provisions of this Regulating Code
- Signage is integrated with and consistent with the building design and does not detract from the desired character along the streetscape
- If the grocery store is located adjacent to residential uses, it will be designed and operated in order to avoid disruptions during normal sleeping hours (10 PM – 7 AM)

- An adequate number of trash receptacles are provided in front of the store

Findings for Convenience Stores, Liquor Stores, and Tobacco Shops

- The proposed use will not adversely affect adjacent or nearby churches, temples, synagogues, or other religious establishments; public or private schools; or public parks, recreation centers, youth centers, or similar uses
- The proposed use will not contribute to a proliferation of other such uses within the Downtown
- The proposed building design has an architectural character and quality that does not detract from the desired character along the streetscape
- Street facing facades are designed with transparent window openings and storefronts that provide views into the store from the sidewalk
- Signage is integrated with and consistent with the building design and does not detract from the desired character along the streetscape
- Parking is located to the rear of the buildings on a surface parking lot or within a parking structure that is designed in compliance with applicable provisions of this Regulating Code
- If the proposed use is located adjacent to existing residential uses, it will be designed and operated in order to avoid disruptions during normal sleeping hours (10 PM – 7 AM)
- The proposed use is not located within 1,000 feet of another convenience store, liquor store, or tobacco shop
- An adequate number of trash receptacles are provided in front of the store

Findings for Fast-Food Restaurants

- The proposed building design has an architectural character and quality that does not detract from the desired character along the streetscape
- Street facing facades are designed with transparent window openings and

storefronts that provide views into the restaurant from the sidewalk

- Parking is located to the rear of the buildings on a surface parking lot or within a parking structure that is designed in compliance with applicable provisions of this Regulating Code
- Signage is integrated with and consistent with the building design and does not detract from the desired character along the streetscape
- If the fast food restaurant is located adjacent to residential uses, it will be designed and operated in order to avoid disruptions during normal sleeping hours (generally 10 PM – 7 AM)
- An adequate number of trash receptacles are provided in front of the restaurant
- As a condition of approval, the owners/operators of the fast food restaurant will daily remove trash and litter along the stretch of sidewalk in front of the fast food restaurant

Findings for Smoking Lounges

- The proposed use is not located within 500 feet of a church, temple, synagogue, or other religious establishment; public or private school; or public park, recreation center, youth center, or similar use
- The proposed use is not located within 1,000 feet of another established smoking lounge
- If the smoking lounge is located adjacent to residential uses, it will be designed and operated in order to avoid disruptions during normal sleeping hours (10 PM – 7 AM)

Findings for Live/Work Units

- Work activities will not interfere with nor impair other permitted uses within the vicinity
- Work activities will not expose residents living in the building to unreasonable noise, odors, vibration, or other potentially harmful environmental conditions

Findings for Sidewalk Dining

- The placement and use of tables, chairs, and other vertical obstructions used for sidewalk dining will maintain a minimum clear sidewalk path of at least five feet
- The sidewalk dining use will occur on an area of sidewalk immediately adjacent to the restaurant/café
- As a condition of approval, the owners/operators of the sidewalk dining use have agreed to continually bus tables during operation, to continually clean up trash and litter related to the sidewalk dining, and to do a final clean up at the close of the restaurant

Findings for Sidewalk Performers/Entertainers/Musicians

- The proposed location of the sidewalk performance is not located within 50 feet of another permitted performer or group of performers
- The proposed location of the outdoor performance is not located within 10 feet of a street corner, driveway, alley entrance, bus stop, crosswalk, bench, and/or building entrance
- The proposed performance will not involve the use of an amplification device, a generator, a wet-cell battery, or an electrical cord extension from an adjacent building
- The proposed performance will not use any objects or involve activities that could cause serious bodily injury to any person
- The proposed performance will not use or prevent the use of public benches, trashcans, drinking fountains, and other streetscape furniture
- The proposed performance will maintain a clear pedestrian path of at least five feet in width
- The time of the performance will be limited to the hours between 10 AM - 10 PM

The above findings do not apply to special events that are permitted by the City, such as a farmer's market, a street festival, or an outdoor concert. Permits for such events are required

per Section 17.63 (Special Events) of the Rocklin Zoning Ordinance.

D. AMENDMENTS TO THE REGULATING CODE

The City Council may amend the Downtown Rocklin Regulating Code, including text, tables, and figures, whenever the public necessity, convenience, or general welfare requires such amendment. The boundaries of the Downtown may also be expanded to include adjacent properties that are not currently within the Downtown. Amendments to the Regulating Code shall occur based on the procedures outlined in Section 17.82 (Amendments) of the Rocklin Zoning Ordinance.

E. OTHER APPLICABLE SECTIONS FROM THE CITY OF ROCKLIN ZONING CODE

In addition to the provisions of this Regulating Code, all development applications and activities within Downtown Rocklin may also be subject to the following sections of the Rocklin Zoning Ordinance:

- 17.02: General Provisions
- 17.04: Definitions
- 17.06: Zones and Maps
- 17.08: Use Regulations Generally
- 17.60: PD Zone
- 17.61: H-D Zone
- 17.62: Nonconforming Uses and Structures
- 17.63: Special Events
- 17.64: Special and Prohibited Uses
- 17.65: Surface Mining and Reclamation
- 17.66: Off-Street Parking
- 17.68: Home Businesses
- 17.70: Conditional Use Permits, Variances, and Mobile Home Certificates of Compatibility
- 17.71: Park and Recreation Fees
- 17.72: Design Review
- 17.74: Development Regulations
- 17.75: Sign Regulations
- 17.76: Fences, Walls, and Hedges
- 17.77: Oak Tree Preservation
- 17.78: Large Animals
- 17.79: Location of Sex Oriented Businesses
- 17.80: Section 5116 Homes

- 17.82: Amendments
- 17.84: Fees
- 17.86: Appeals
- 17.88: Enforcement-Interpretation
- 17.90: General Plan Amendments and Specific Plans
- 17.92: Development Agreements
- 17.94: Trip Reduction
- 17.96: Density Increase Incentive Program

Should any conflict arise between the provisions of this Regulating Code and the City of Rocklin Zoning Ordinance, the provisions of this Regulating Code shall apply.